

FREDERICK COUNTY PLANNING COMMISSION
Minutes of Meeting for
November 10, 2021
Virtual & In-Person Meeting

See video for further meeting details: <http://frederickcountymd.gov/5956/Video-Archives>

Members Present: Sam Tressler, Chair; Craig Hicks, Vice-Chair; Joel Rensberger, Secretary; Carole Sepe; Terry Bowie; Michael Sowell.

Members Absent: None

Staff Present: Mike Wilkins, Development Review Director; Kimberly Golden Brandt, Livable Frederick Director; Kathy Mitchell, Senior Assistant County Attorney; Ashley Moore, Senior Planner; Cody Shaw, Principal Planner; Mark Mishler, Traffic Engineer; Denis Superczynski, Livable Frederick Planning Manager; Tim Goodfellow, Livable Frederick Environmental Planner and Karen James, Administrative Specialist

The meeting was called to order at 9:30 am.

1. PLEDGE OF ALLEGIANCE Sam Tressler

2. ROLL CALL Sam Tressler

3. MINUTES TO APPROVE

October 13, 2021 – Mr. Rensberger motioned to approve the minutes as submitted; Mr. Sowell, 2nd.

<u>VOTE</u>	<u>6-0-0-0</u>
FOR:	6 – Tressler, Rensberger, Hicks, Sepe, Sowell, Bowie
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

4. PLANNING COMMISSION COMMENTS

Mr. Rensberger mentioned correspondence received by the Planning Commission one day prior to the Nov. 10th meeting. Mr. Wilkins explained that this was for a plan with conditional approval, expiring Nov. 18. He explained that the condition has not been met and cannot be met by the expiration date. Further discussion involved the topic of how an item is added to the Planning Commission agenda. Mr. Wilkins and Ms. Mitchell offered an interpretation of dates and deadlines.

Ms. Sepe said she has attended the Transportation Advisory Services meetings and provided an update. She then thanked Mr. Superczynski for his support and participation at the Maryland Planning Commission Association Conference with regard to the annual report.

5. AGENCY COMMENTS/AGENDA BRIEFING

Mr. Wilkins reviewed the upcoming meetings which will include Nov. 17, 2021, Sugarloaf Plan Workshop; Dec. 8, 2021, one Development Review item and Sugarloaf Plan Workshop; and Dec. 15, 2021, Sugarloaf Plan Workshop and possibly more. Discussion followed to assure there would be a quorum at all three of the above-mentioned meetings.

Ms. Mitchell explained Public Comment and how time limits are determined.

6. SITE PLAN

West Jefferson Substation – The Applicant is requesting site plan approval for the construction of a nongovernmental electric substation on a 9.76 acre parcel. Located along the west side of Burgee Drive at 3190 Burgee Drive. Tax Map 84; Parcel 278; Zoned: Agricultural; Planning Region: Brunswick SP10-09 (A/P SP265130; APFO – A265132; FRO – F265131

Staff Presentation:

Cody Shaw, Principal Planner

Applicant Presentation:

Chris Chiampi of Frederick, Seibert & Associates, Inc. representing Potomac Edison
Justin Walter, project manager, Potomac Edison

Mr. Rensberger had questions regarding landscaping and followed up with praise for the landscaping requirements.

Ms. Sepe disclosed that she was contacted by a neighbor, but did not discuss the case. Ms. Sepe sent this person the link to the public staff report [on the Frederick County Government website]. Ms. Sepe also addressed Board of Appeals meetings, and that when meetings are cancelled it needs to be communicated that the meeting is actually postponed and that the public may still comment. She also pointed out that the Livable Frederick comprehensive plan is totally different from the 2010 comprehensive plan and was disappointed to see use of 2010 comprehensive plan in the BOA letter referencing sections of the code. Ms. Mitchell stated they have addressed this with staff and will correct this on future situations.

Mr. Hicks continued with questions, assured by Mr. Wilkins that it did meet the Livable Frederick comprehensive plan. He further indicated that some of the references that may not be appropriate are likely from the applicant's justification letter, not necessarily staff. Following additional questions from Mr. Hicks, Ms. Mitchell assured the Planning Commission that she is working with the Board of Appeals in the area of staff reports.

Mr. Sowell asked about security for the proposed sub-station, while Mr. Bowie asked if there was a generic definition of non-governmental versus governmental sub-station. Ms. Sepe asked to confirm the height of the communication pole. Mr. Sowell re-visited security to which Mr. Chiampi answered that fencing will be present, but he is uncertain as to the use of security cameras.

Public Comment: One caller, unrelated to the topic.

Decision: Mr. Hicks made a motion to approve the site plan with conditions as listed in the staff report for the proposed West Jefferson Substation, based on the findings and conclusions of the staff report and the testimony, exhibits and documentary evidence produced at the public meeting. Mr. Rensberger 2nd.

<u>VOTE</u>	6-0-0-0
FOR:	6 – Tressler, Rensberger, Hicks, Sepe, Sowell, Bowie
AGAINST:	0

ABSTAIN: 0
ABSENT: 0

Break taken 10:45 a.m.
Meeting resumed 10:56 a.m.

7. LETTER TO THE COUNTY COUNCIL RE: SUGARLOAF PLAN

Mr. Hicks shared the two-paragraph memo written to the County Council regarding the Sugarloaf Treasured Landscape Management Plan process. He explained that the memo is different than some might have imagined because additional events occurred since the Planning Commission's last meeting, including a Council discussion on Oct. 26 about the process and briefing by Ms. Brandt about the status of the plan. Ms. Sepe said it was an excellent letter and reflects what the Planning Commission has discussed.

Mr. Tressler took a roll call vote and it was unanimous to send the memo to the County Council.

8. DRAFT SUGARLOAF TREASURED LANDSCAPE MANAGEMENT PLAN

Ms. Brandt provided an overview of the contents of the meeting packets, including letters and e-mails received from Oct. 9 to November 1, maps showing environmental features discussed at the previous workshop, and charts of permitted uses in the RC zoning district, the Ag zoning district, the proposed overlay, and the proposed STR zone. The workshop continued with a review of what was covered at the last meeting and a continuation of Chapter 4 with slides presented by Mr. Goodfellow of policies and initiatives.

There was a pause from 11:10 to 11:38 a.m. to set up PowerPoint presentations for all of the Planning Commission to review.

The comprehensive land use map was shown, with the current existing land use designations. Mr. Goodfellow then gave a historical perspective of prior policies relating to growth and preservation in the southern portion of the county.

Mr. Rensberger commented on the history of the southern portion of the county, saying that those from that part of the county have been told decade after decade after decade 270 is the line.

Mr. Rensberger, Mr. Hicks, and Ms. Sepe complimented Mr. Goodfellow on his presentation. Ms. Sepe suggested adding the maps covering 1993 and 2004 to the appendix.

The presentation continued with more slides of the 270 corridor including Gaithersburg, Germantown, and Clarksburg, showing a mixture of land uses and housing types, then heading north to show the area around Hyattstown, retaining a natural forest and field setting. Moving on to the 270 corridor here, there are two planned and one existing interchange. The Livable Frederick Master Plan shows the 270 corridor as a potential future mass transit corridor. Mr. Goodfellow explained what that might look like. Mr. Rensberger asked about potential new interchanges and would they "happen in our lifetime." Ms. Sepe reminded everyone that their focus is on what is wanted and the long-term plan. Not whether or not this will happen.

Lunch break taken 12:36 p.m.
Meeting resumed 1:19 p.m.

Mr. Goodfellow continued with a review of the September 15 vote on boundaries. Mr. Hicks commented that while the current map shows the results of the recent vote, it is still open for discussion and may change. Further discussion of the vote took place, with Mr. Bowie saying he was under the understanding that there would be additional discussion.

Ms. Sepe said she would appreciate an overview of the area and discussion of the future plans, where they stop and where they begin.

Mr. Rensberger pointed out that the Planning Commission did not change the development boundary, but with the motion and vote restored the 50-year-old compact between the residents of southwestern Frederick County and the county government. Ms. Sepe said she would like to discuss other boundaries. Mr. Hicks agreed, hoping that additional discussion would take place after having more information and context, feeling it was premature for a decision.

Mr. Goodfellow continued sharing slides showing various boundaries and answering additional questions. Ms. Brandt mentioned that the decisions the Planning Commission will have to make include: any recommended changes to land use designations, recommended changes to zoning designations, and what properties are recommended for inclusion in the proposed overlay area. Ms. Sepe turned her attention to Baker Valley, asking about easements. She also stated that this is an opportunity to help protect the Monocacy Battlefield.

Mr. Goodfellow asked to start the discussion of the overlay. Ms. Sepe said that a lot of people don't understand that the overlay will be based on the regulations in the appendix. She then indicated that she would be opposed to the overlay zone as written. Mr. Hicks said a good way to proceed would be to agree on what is appropriate for the overlay, apply it to the planning area, and then look for areas where it doesn't work and subtract those. Mr. Bowie expressed the need to protect the transportation component. Mr. Sowell said he wants to make sure the Planning Commission is on the right path, as these decisions are important and will have an impact.

9. PUBLIC COMMENT

Instructions were given for callers from the public. There were seven calls.

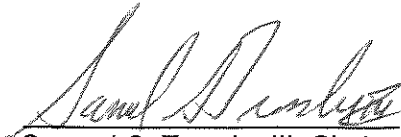
Following additional discussion with callers, Ms. Brandt shared the e-mail addresses to share comments: planningcommission@frederickcountymd.gov and sugarloafareaplan@frederickcountymd.gov.

Mr. Tressler expressed his appreciation for members of the community participating in public input.

Motion to adjourn by Mr. Sowell. Mr. Rensberger 2nd.

VOTE	6-0-0-0
FOR:	6 – Tressler, Rensberger, Hicks, Sepe, Sowell, Bowie
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

Meeting adjourned at 3:25 p.m.


Samuel G. Tressler III, Chair

12/6/21
Date